

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Rami Talleh, Senior Planner
DATE: May 14, 2008

SUBJECT: **COASTAL DEVELOPMENT PERMIT NO. 2008-07; TEMPORARY USE PERMIT NO. 2008-01 (SURF CITY NIGHTS)**

LOCATION: Main Street (between Pacific Coast Highway and Orange Avenue – Downtown Huntington Beach)

Applicant: Downtown Business Improvement District, Connie Pedenko, 412 Olive Avenue #149, Huntington Beach, CA 92648 and City of Huntington Beach, Economic Development Department, 2000 Main Street, Huntington Beach, CA 92648

Property Owner: City of Huntington Beach, 2000 Main Street, Huntington Beach, CA 92648

Request: To permit the temporary closure of Main Street every Tuesday night, between Pacific Coast Highway and Orange Avenue including a half block of Olive Avenue and Walnut Avenue on either side of Main St., to allow for an outdoor festival for a period of five years (2008-2012). The festival will consist of various activities including sidewalk sales, farmer's market, live entertainment, food preparation and tasting, arts and crafts, and kids' activities (bounce house and train). Parking for the festival will be provided at private and public parking facilities within the downtown area. Additional parking will be available at a remote parking lot located at 2000 Main Street with shuttle service to/from the festival via Lake Street to accommodate overflow parking.

Environmental Status: This request is covered by Categorical Exemption, Section 15304, Class 4, California Environmental Quality Act.

Zone: SP5 (Downtown Specific Plan)

General Plan: Right of Way

Existing Use: Main Street – Public right-of-way

RECOMMENDATION: Staff recommends approval of the proposed project based upon the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15304 of the CEQA Guidelines, because minor temporary use of land having negligible or no permanent effects on the environment, including carnivals, sales of Christmas Trees, etc., are exempt from further environmental review.

SUGGESTED FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2008-007:

1. Coastal Development Permit No. 2008-007 for the development project, as proposed, conforms with the General Plan, including the Local Coastal Program. The project is consistent with the following Coastal Element Land Use Policies:
 - a. C 1.1.6: Temporary and seasonal activities within the coastal zone which do not qualify as exempt activities pursuant to the Coastal Commission's guidelines adopted by the Commission pursuant to Section 30610(i) of the Coastal Act shall be monitored and regulated through the coastal development permit process to protect coastal resources from adverse impacts associated with the seasonal or temporary activities.
 - b. C 2.4.2: Ensure that adequate parking is maintained and provided in all new development in the Coastal Zone utilizing one or a combination of the following:
 - Monitor parking programs to make the most effective use of parking resources, and
 - Replace any on-street parking lost in the coastal zone on a 1:1 basis within the coastal zone prior to or concurrent with the loss of any parking spaces.
 - c. C 3.2.1: Encourage, where feasible, facilities, programs and services that increase and enhance public recreational opportunities in the Coastal Zone.
 - d. C 3.4.2: Enhance the Municipal Pier and surrounding area to function as the "hubs" of tourist and community activity.

The proposed street festival will attract tourists and Huntington Beach residents to Main St. and the Municipal Pier reinforcing Downtown Huntington Beach as a "hub" of community activity. The weekly event increases and enhances recreational opportunities in the coastal zone by providing public recreational and community activities with adequate parking and parking facilities within the downtown and if necessary in satellite facilities. Parking facilities will be monitored to ensure adequate parking is provided. Furthermore, satellite parking lots with valet and shuttle service are available. The temporary removal of parking on Main Street will be adequately replaced as necessary.

2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code. The temporary use does not involve the construction of permanent structures. Minimum aisle widths will be provided.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. All infrastructure exists for the proposed market that is consistent with the Huntington Beach Coastal Element and Coastal Land Use Plan of the General Plan.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. All public access will remain to the beach and pier area.

FINDINGS FOR APPROVAL - TEMPORARY USE PERMIT NO. 2008-001:

1. The proposed temporary use will be located, operated and maintained in a manner consistent with the policies of the General Plan and the provisions of Chapter 241. The temporary use permit will be compatible with the surrounding uses because the event is temporary in nature and is consistent with the character of the area. It will not alter existing property and improvements in the area.
2. Approval of the application for the temporary closure of Main Street every Tuesday night, between Pacific Coast Highway and Orange Avenue including a half block of Olive Avenue and Walnut Avenue on either side of Main St., to allow for an outdoor festival for a period of one year consisting of various activities including sidewalk sales, farmer's market, live entertainment, food preparation and tasting, kids activities (bounce house and train), and seasonal parking lots will not be detrimental to property or improvements in the surrounding area or to the public health, safety or general welfare. The event was held for the past three months without adversely impacting the surrounding area. The applicant will provide adequate traffic controls and security measures to mitigate potential impacts to the surrounding area.

SUGGESTED CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 2008-007 AND TEMPORARY USE PERMIT NO. 2008-001:

1. The site plans received and dated April 9, 2007, and shuttle route received and dated March 20, 2008, shall be the conceptually approved layout with the exception of the following:
 - a. Barricade placement shall be amended to allow alley access from Walnut Avenue for the two alleyways on the east and west sides of Main Street. **(PW)**
 - b. The shuttle route shall be amended to indicate that the shuttle would enter and exit the City Hall parking lot via the eastern Yorktown Avenue driveway. Also the shuttle shall use the current loading zone on 3rd Street as proposed and either a) proceed west on Walnut Avenue, u-turn and return north on 3rd Street/Lake Street (the preferred option); or b) proceed east on Walnut Avenue, north on 2nd Street, west on Olive Avenue and return north on 3rd Street/Lake Street. **(PW)**
2. In the event that the City determines there is a parking deficiency or if downtown parking facilities reach full capacity for two hours during the summer months as a result of the event, additional parking shall be provided at the City Hall parking lot with shuttle services to and from the event.
3. Prior to instituting the shuttle service, a signing and directional plan shall be prepared and deployed to direct visitors to the remote parking area and to the shuttle stop locations. **(PW)**
4. Traffic Control for the event shall be provided in accordance with all Public Works, Police and Fire Department requirements for access, circulation and protection of the public. If outside contractors are used in lieu of City forces to install traffic control, encroachment permits shall be obtained from Public Works Department and CALTRANS (if required). **(PW)**
5. The Director of Planning ensures that all conditions of approval herein are complied with. At the discretion of the Directors of Public Works and Planning, the conditions of approval contained herein may be modified. The Director of Planning shall be notified in writing if any changes to the site plan, list of activities, and shuttle route are proposed as a result of the ongoing operation and oversight of the event.

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.